

**REMARKS**

In response to the Restriction Requirement of January 21, 2005, **Applicants hereby elect the claims of Invention I (Claims 1-20)**, drawn to non-volatile memory devices.

Applicants have canceled the claims drawn to Invention II (Claims 21-39), drawn to methods of making non-volatile memory devices. This cancellation is being done without prejudice to the filing of a divisional application for these claims. Applicants are not traversing the restriction requirement because Applicants agree that unpatentability of the product claims of Invention I would not necessarily imply unpatentability of the method claims of Invention II and vice versa. The Title has been changed to conform to cancellation of the method claims.

Favorable examination and allowance of Claims 1-20 is respectfully requested. If the Examiner deems that this response is not completely responsive to the restriction requirement, the undersigned respectfully asks the Examiner to contact the undersigned at the telephone number listed below, so as to resolve any issues that are not apparent to the undersigned.

Respectfully submitted,

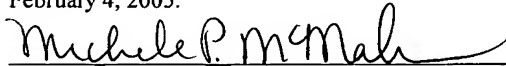


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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 4, 2005.



Michele P. McMahan  
Date of Signature: February 4, 2005